

ORIGINAL

In the United States District Court for the Northern District of Texas
Dallas Division

(USA and)
Jamal Elhaj-Chehade
Co- plaintiff

Vs.

Educational Commission for Foreign Medical Graduates

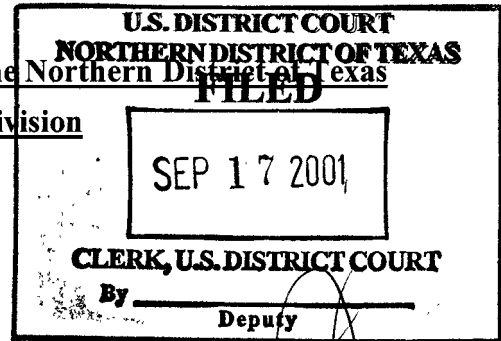
(entities and individuals) defendants

Plaintiff's motion to extricate the non-federal charges

September 15th 2001

Comes now on this day Sept. 15th 2001, the plaintiff is filing his motion to Extricate the non-Federal charges from this lawsuit because of jurisdictional question as follow:

- 1- this court refused to allow the plaintiff the change of venues despite the facts that all the claims are inter-related.
- 2- The plaintiff asserts that this case claims are not identical with the claims brought in 3:99CV 680-D, the only overlap lies solely with the evidences(the evidences in this new case can be used to prove the claims brought in the 3:99CV680-D case.
- 3- The aggravation of previous conditions or the creation of new conditions constitute new cause of action for which reliefs must be granted both retrospective and prospective taking into account the nature and history of the defendants actions.
- 4- The plaintiff will have a legal representation in the right court and in the right time once the two cases have been consolidated(the USCA-5 case must be remanded because of the new evidences and developments)
- 5- The defendants spend 600.000US\$ every year in purchasing(inappropriately) orders in their favors(see defendants income tax filing) and that the fate of every expenditure of the defendants will be the subject in the future exchange of discovery and deposition and facts which may bring additional charges against the defendants.
- 6- The non-federal claims must be removed since no proceeding set has been done(no discoveries and no depositions yet done)
- 7- Because of the recent unfortunate and sad events that hit our beloved nation, the plaintiff(without waving anything or admitting to the alternatives) does have a plan for settlement offer for the defendants that the plaintiff wishes to discuss it in the presence of the defendants(or their representatives) and in front of a judge(magistrate is OK). The plan must provide all of the following:
 - i- **the full protection of the interests of the United States, and**
 - ii- **eliminate all the hardships that the defendants put the plaintiff through. and to let the plaintiff perform his civic duties without any constraints.**
 - iii- **Ensure that the defendants will not engage in future retaliatory actions against the plaintiff(this is a must).**



The tentative plan and settlement will allow all the parties to put their differences aside and rally behind the Flag as soon as possible in the face of the common threat, pain and suffering that hurt us all without differentiation. And to allocate time and resources appropriately. And settlement will allow the plaintiff to devote his resources and time to perform his civic duties and obligations toward his community(that need him now more than ever, and fast) without any interference. In addition, the plaintiff will bring to court the evidences he has against the defendants to be heard if necessary(the plaintiff is not talking out of weakness).

The court must realize afterward the stand of each party. and the plaintiff is urging the defendants to consider the plaintiff offer.

Wherefore, premises considered, the plaintiff prays that non-federal claims be removed at **this time pending further notice.**

Certificate Of service and conference

This is to certify that the plaintiff did send the defendants attorney a notice of conference via e-mail On September 15th 2001, and that true copy of the foregoing has been sent to the defendants attorneys Mrs. Susan Schwartz at 6688 N Central Expressway# 850, Dallas, Texas 75206-3913, via USPS regular prepaid mail on September 16th 2001(or on the same day it was stamped by the USDC clerk).

Respectfully Submitted and God bless America
Dr Jamal elhaj-Cehade, pro-se(at this time), IFP
Plaintiff at 5414 Cedar Springs# 806
Dallas, Texas 75235

